

MINUTES

NATURAL RESOURCES COMMISSION

March 10, 2011

**Lansing Community College – West Campus
5708 Cornerstone Drive, Lansing, MI 48917**

PRESENT FOR THE NRC

Tim Nichols, Chair
John Madigan
J.R. Richardson
John Matonich
Frank Wheatlake
Mary Brown

ABSENT FOR THE NRC

Hurley Coleman

PRESENT FOR STAFF

Rodney Stokes, Chief of Staff, DNRE
Russ Mason, Chief, Wildlife Division
Kelly Smith, Chief, Fisheries Division
Steve Schmitt, DNRE Wildlife Veterinarian
Adam Bump, Bear and Furbearer Specialist, Wildlife Division
Brent Rudolph, Deer and Elk Program Leader, Wildlife Division
Steve Beyer, Federal Aid Program Leader, Wildlife Division
Todd Grischke, Fisheries Division
Additional Staff

NRC POLICY COMMITTEE ON WILDLIFE AND FISHERIES

Natural Resources Commission Chairman Nichols called the NRC Policy Committee on Wildlife and Fisheries meeting to order at 8:37 a.m.

Wildlife Division Chief Update

Russ Mason, Chief of Wildlife Division, provided the update. Wildlife Division has solicited input on alternative waterfowl zones via the Citizens Waterfowl Advisory Committee (CWAC). The CWAC members were not able to come to consensus on any recommended waterfowl zone boundary changes. Therefore, Wildlife Division is not recommending any waterfowl zone changes for 2011.

The draft Wildlife Division annual report was provided to the Commissioners in their packet of materials. Please review and let Wildlife Division know if there are any comments. The moose

workgroup members have been designated. The first moose workgroup meeting will be April 13, 2011. No tribal participation yet but the DNR is working on this. The Wildlife Division strategic plan realignment team will provide an update to the public and NRC soon.

The Beaver Island Wildlife Club has gathered letters of support for potential antler point restrictions (APR) from the two townships on the island. Commissioner John Madigan asked if there are any questions on the Beaver Island APR process. Commissioner John Matonich would like to know if there were public comments on the potential APR regulations. Commissioner Matonich wants to make sure the DNR and NRC are not missing input on the potential regulation changes. Commissioner Madigan asked if there were any negative comments heard. Russ Mason indicated no negative comments have been heard. The NRC asked Wildlife Division to set up a public meeting this spring on Beaver Island to gather public input. Communication about the public meeting should go out 2-4 weeks before the public meeting. Make sure the meeting is listed in the local newspaper.

Bear Regulations

Adam Bump, the Bear and Furbearer Specialist for Wildlife Division, presented the bear regulation information. There were no proposed license quotas changes for the 2011 season. Due to a confirmed black bear cub death from eating chocolate at a bait pile (theobromine poisoning), Wildlife Division is recommending chocolate be removed as a legal bait item for bears. Commissioner Frank Wheatlake asked about the 62% license registered in the Baldwin Unit. Adam Bump said the 62% license success rate was not an indication of too many bears in the unit. Commissioner Madigan asked how the bear complaints were this year. Adam has not heard a lot of bear complaints. There were a few high profile urban bear issues, one in Traverse City. Commissioner Wheatlake indicated there was also a bear issue in Big Rapids.

Waterfowl Season Zones

The Wildlife Conservation Order amendment concerning the waterfowl boundary zones was pulled. There are no recommended changes in waterfowl zone boundaries.

Elk Regulations and Quotas

Brent Rudolph, the Deer and Elk Program Leader for Wildlife Division, presented the elk information. The Michigan elk population objective is between 800-900 elk. The January 2010 survey indicated there are approximately 780 elk. Aerial surveys are conducted every two years. Field staff believe elk numbers outside of the core area are reduced, but will likely still cause some conflicts. Elk Hunt Period 1 will be 8 days long in late August and September. Recommend changing elk management unit (EMU) boundaries to address agricultural damage and continued concern with the overlap of elk with the core bovine tuberculosis area. Expand EMU L to allow more flexibility to remove elk from areas where conflicts continue to occur. Eliminate the October hunt period. The October hunt period had low hunter success rates and is no longer needed to alleviate hunter crowding. Elk Hunt Period 2 will be 9 days long in December. Expand EMU X to allow more flexibility to remove elk in core range and outside core area. EMU C will be eliminated by the expansion of EMU L and EMU X. Elk Hunt Period 3 will remain an option in January, if needed. Wildlife Division is proposing a decrease in elk quotas to reduce anticipated harvest with the intent to maintain elk numbers near the population goal of 800-900 elk. Wildlife Division is recommending a quota of 155 licenses, a decrease of 75

licenses from 2010. The majority of licenses will be issued during the August/September. In addition, 10% of the total license quota will be distributed to the tribes.

Commissioner J.R. Richardson asked what the maximum number of elk Michigan has had. Brent Rudolph indicated Michigan has had over 1,000 elk. Commissioner Matonich asked if the western edge of the Michigan population range was increasing. Commissioner Matonich has heard from several independent constituents about elk in the western end of their range. Brent Rudolph indicated that elk do move around but that does not necessarily mean they are increasing. Elk have been known to cross I-75 to use areas west of I-75. Commissioner Matonich wants to make sure Wildlife Division is monitoring the concern in the western end of the elk range. Commissioner Wheatlake asked if vehicular mortality is reflected within the population goal. Brent indicated vehicular mortality is not a significant part of elk mortality. Commissioner Richardson asked what elk tolerance is for snow. Brent indicated they are more tolerant to snow than white-tailed deer. We have not documented direct winter mortality to elk. John Madigan asked what our anticipated goal is after the 2011 harvest. Brent expects the population to be maintained around the current population level – near 800 animals. Commissioner Wheatlake asked about the Director having the ability to set the January harvest. Currently, the Wildlife Conservation Order (section 3.8) states “The director, in consultation with and concurrence of the chair or vice chair of the natural resources commission, may determine the number and type of license available and the elk management units” for the January hunt. Commissioner Wheatlake made a statement that they would prefer not to relinquish any small amount of authority they have.

Proposed Lake Trout Regulations – Northern Lake Huron

Todd Grischke, Acting Lake Huron Basin Coordinator for Fisheries Division, presented the lake trout information. This is an emergency amendment to Fisheries Order (FO)-200. The area called MH-1 is located in northwest corner of Northern Lake Huron. The 2000 Consent Decree split the lake trout allocation between the State of Michigan (SOM) and the 1836 Native American tribes. In 2009, the State of Michigan had a harvest limit of 20,000 lbs of lake trout in the MH-1 area. The SOM harvested 25,304 lbs., for an overharvest of 5,304 lbs. The penalty was applied to the 2010 harvest limit. There was a 27-inch maximum size limit implemented for lake trout in 2010. The SOM harvest limit of lake trout in 2010 was set at 19,696 lbs (25,000-5,304), but the SOM harvest was 24,803 lbs. Overharvest in 2010 was 5,107 lbs. The penalty is applied to the 2011 harvest limit. The SOM harvest limit in 2011 is set at 19,893 lbs (25,000-5,107). Fisheries Division is proposing to implement a 24-inch maximum lake trout size limit for recreational fishing in 2011, except no more than 1 lake trout can be > 32 inches (one trophy fish). The bag limit would be 3 lake trout per day, possession season would be from May 1 through September 30. We need to reduce the harvest in 2011 by ~20%. This proposed change in size limit would also occur to splake to make the restrictions consistent. Splake are almost impossible to differentiate from lake trout. The 2011 Fishing Guide has already been printed and does not have this change indicated so it does present a communication challenge. Communication to the public would happen through multiple means – the Lake Huron Citizen’s Fishery Advisory Committee, Sea Grant workshops, Internet, flier for creel clerks, press releases, newspaper ads, etc.

Commissioner Richardson asked if the 27-inch size limit set in 2010 was based on statistics. Todd Grischke said yes. Commissioner Richardson asked if mortality from catch and release is factored in. Todd indicated mortality from catch and release can be around 8-9%. Lake trout are in shallower water. Commissioner Wheatlake asked how many pounds of fish do Fisheries Division want to be harvested in 2011? Todd responded 19,893 lbs. Commissioner Matonich asked when the new model will be ready? Todd indicated the model has a major flaw. That is, it is not taking into account the recent level of natural reproduction that is taking place in the MH-1 area. Todd indicated Fisheries Division is looking into the model concurrently with the 2011 fishing season. Commissioner Matonich asked what the difference is between MH-1 and the adjacent harvest zone (MH-2). The lake trout size limit is 22-inch in MH-2. Commissioner Madigan asked what a realistic time frame to get the model congruent with harvest. Is Fisheries Division looking at 2-3 years? Fisheries Division hopes not. By implementing the 24-inch size limit restriction now, that will buy time to allow Fisheries Division to figure out how to incorporate additional natural reproduction into the model.

PUBLIC DISCUSSION OF LOWER PENINSULA DEER BAITING AND FEEDING BAN

Natural Resources Commission Chairman Nichols called the Public Discussion of Lower Peninsula Deer Baiting and Feeding Ban to order at 10:00 a.m.

Baiting and Supplemental Feeding in Other States

Steve Schmitt, DNRE Wildlife Veterinarian, presented information on what other States in the United States and Canadian provinces have done about cervid baiting and feeding policies. Baiting is banned in 26 States and Canadian provinces. Baiting is restricted in 7 States (including Michigan). Baiting is not banned or restricted in 27 States and Canadian provinces. Information was not available for 3 Canadian provinces. Feeding is banned in 7 States. Feeding is restricted in 12 States and Canadian provinces. Feeding is not banned or restricted in 41 States or Canadian provinces. Information was not available for 3 Canadian provinces.

Steve reviewed the Wildlife Society's position statement on baiting and feeding of game wildlife species. The rest of the presentation was on the biological risk of disease transmission and the probability that a disease will become established (self-sustaining) in a deer herd with baiting and feeding. Also covered the cost of trying to eradicate bovine TB from cattle and deer in Michigan (\$150 million since 1995), chronic wasting disease in Wisconsin (\$43 million since 2002), and bovine TB in Minnesota (\$86 million since 2005).

Public Baiting Discussion

Commissioner Wheatlake proposed that the Department plant 50,000 acres of food plots on state land as one solution to the baiting issue. The State could also plant food plots on federal land and commercial forest land. By partnering with organizations, the cost of food plots would go down. This would spread deer out across the state.

Commissioner Madigan stated the discussion should be focused on baiting in particular, not feeding. Public speakers had 3 minutes each. Comments should be short, provide solutions if possible, and be respectful.

1) **Monte Bordner – Michigan Cattlemen’s Association**

From Sturgis, Michigan. Owns pure bred angus cattle. Bovine tuberculosis testing is very expensive. Opposed to feeding and baiting in the Lower Peninsula. He is also a deer hunter.

2) **Richard & Joan Runnels – resort owners in Lake County**

Support baiting. Resort owners and run a wildlife guiding business. Have lost business during all deer seasons since baiting was banned, less business overall now. Want a restricted amount of bait or fee system. They have food plots. They hold deer for a while but hunters want to use bait. Once snow comes the deer do not come into food plots.

3) **Jon St. Croix**

Supports baiting in areas where there is no disease. Supports restriction of 2 gallon limit. Agrees that not being able to bait affects hunter recruitment. Bait is a tool. Antler point restrictions in NE Michigan will spread disease. Hunts in Gladwin and Midland County.

4) **Dan Nameth**

Baiting draws deer into different movement patterns. Opposed to baiting. Sportsmanship should be primary focus of hunting. Hunts in Oceana County.

5) **Merle DeWitt**

Supports baiting. Restrict baiting to 2.5 gallons spread out. Legal baiting is the same as a food plot. \$50 an acre for food plots not realistic – more expensive. Hunts in Ottawa, Newaygo, Manistee Counties.

6) **Dale Sheltrown**

Supports baiting in NLP. Hunts in Gladwin County. Stores all over NLP sell bait. Enforcement varies depending on the prosecuting attorneys and judges. Food plots are the same as bait plots. Make it legal in entire state or ban it in entire state. Allow baiting beginning on Sept. 20th. If food plots allowed on state land there will be hunting wars on state land around these plots.

7) **Merle Shepard – Michigan Chapter of Safari Club International**

In the past has supported the Wildlife Division recommendation. Opposed to baiting but will be reviewing their position. Current system is not working. If you ban or regulate baiting there has to be strict enforcement. Wasting time if penalty is not strong enough. Would not want full scale baiting as it was before.

8) **Albert Elsesser**

Baiting creates a lot of lead poisoning. Hunts in Shiawassee County. In a perfect world he would oppose baiting but it’s not a perfect world. Neighbors bait. Supports restricted baiting to ~ 2 gallons a day.

9) **Richard Hudson**

Hunts in Shiawassee County. Supports baiting (on a limited basis). The long deer season now prevents deer from moving during day. They only move at night. Can only get deer to move during the day with bait.

10) **Donald Pipes**

Supports baiting on a limited basis. Does not support feeding. No way of effectively reporting the number of deer harvested. He is from Missouri where mandatory deer check is required. In Missouri, they use a phone system to report deer harvested. Wants better management of deer through mandatory check of some kind. Look at what Missouri does and modify for Michigan. Hunts in Shiawassee County.

11) **Angela Kline**

Tim Kline read Angela's statement. Angela was at home not feeling well. Supports baiting on limited basis. Wants handicap access for physically challenged hunters.

12) **Tim Kline**

Agrees we could do more on state land with food plots. Supports restricted baiting like it was before until a disease is detected. Hunts in Ionia, Kent and Newaygo County.

13) **Rich Hansen**

Hunts in Montcalm County. Likes idea of food plots on public land. Opposed to baiting because of disease and hunters don't pay, shooters pay.

14) **Cheryl Hansen**

Hunts in Montcalm County. Opposed to baiting because of disease. Bovine TB can be spread to humans. More enforcement on stores that sell bait. Support food plots on public land.

15) **Jeffrey DeJager**

Hunts in northern Kent, Newaygo and Lake County. Surveyed 26 people, 100% said they support elimination of baiting except one said they would like to use bait for young hunter recruitment. Opposed to baiting. Increase enforcement.

16) **Dale Young**

Hunts in Otsego County. Supports baiting. Against restrictions on baiting. Does not see deer anymore.

17) **Robert Myers – Chairman of Lake County Commissioners**

Hunts in Lake County. Supports restricted baiting. Need enforcement. Look at areas where deer are concentrated and allow baiting in specific areas so you can kill does, reduce deer numbers.

18) **Art Quinn**

Supports baiting with restrictions to 5 gallons. Take one deer with bow or one deer with gun and be done. Need to increase deer numbers. Supports food plots on public land.

19) **Larry Reinardy**

Supports baiting and feeding with restriction to 5 gallons. People are getting tickets for baiting. Doesn't like to see arguments between hunters and farmers on this issue. Hunts in Oakland, Livingston County (NE and NW Michigan also).

20) **Dennis Novak**

Hunts in Shiawassee County, mediocre property for hunting. Does plant food plots. Food plots are costly. Supports baiting in limited quantity. Use as a tool to reduce deer herd.

21) **Gordon Wenk – Michigan Department of Agriculture**

Opposed to baiting, especially in area where bovine TB exists. If ban lifted, may have chilling impact on getting state to bovine TB free status. USDA will make the final decision on state's TB status. Plan on presenting TB status change proposal to USDA mid-summer.

22) **Tim Bartholomew**

Supports baiting. Used to hunt in Roscommon County.

23) **Ernie Birchmeier - Livestock and Dairy Specialist for Michigan Farm Bureau**

Opposed to baiting and feeding in Michigan. Requires strict enforcement. USDA will consider the TB free status in Michigan and baiting will be a factor in decision. NRC should manage based on science. Supports food plots on public land. Hunts in Shiawassee County.

24) **Rob Miller**

Opposed to baiting. Supports food plots on state land. Manage based on science. Hunts in Allegan and Manistee County.

25) **Ed Beckley III**

Supports baiting. Fine farmers for putting hay and silage out, same as baiting, if you are going to ban baiting for hunters. Hunts Iosco and Schoolcraft County.

26) **Ed Beckley II**

Owens small store that sells bait. Supports baiting with restrictions to about 2-5 gallons.

27) **Dave Wheeler**

Owens company called Lucky Buck, mineral for deer antler growth. Wants to see proposal to exclude minerals in bait. Deer don't congregate around minerals like they do around food. Neutral on overall baiting ban. Fine tune to exclude minerals. Hunts in Hillsdale County.

28) **Zane Walker – Michigan Building Trades**

Supports baiting with restrictions. Must be strictly enforced. Supports food plots on public land. It's about hunter retention. Hunts Oscoda, Clare, Osceola and Montmorency County.

29) **Paul Rose** – concerned about NE Michigan. If the NRC reintroduces limited baiting in Lower Peninsula, do it for the entire Lower Peninsula or none at all. Lives in Montmorency County.

Commissioner Nichols thanked the group and asked that people continue to provide input for the next two months. Commissioner Madigan announced similar discussion next month at NRC meetings. Law Enforcement Division will speak next month before public comment. The April NRC meeting will be in Lansing at the Lansing Center. The May NRC meeting will be in Flint. Commissioner Richardson wanted to know if the same people are encouraged to speak again next month. The NRC Commissioners want new ideas and comments, but they will listen to same people if they sign-up.

The Wildlife Division will post these meeting minutes on the DNR website.

Meeting adjourned at 12:01p.m.